

Video Arraignment Process for Franklin County Municipal Court, General Division

The Franklin County Municipal Court has transitioned from in-person to video arraignments for in-custody Defendants held at the Main Jail and at Jackson Pike. Defendants for arraignments will no longer be physically present in Courtroom 4D, but will now appear via video. Any documents that need to be signed by the Defendant will have to be completed electronically.

ELECTRONIC FORMS

Two computers located in Courtroom 4D are available for counsel to complete and sign forms utilizing Adobe and a signature pad. At this point, the only forms that need to be created electronically are those that need signed by the Defendant. Other forms are available to be created electronically, but must be filed by the requesting party. Otherwise, paper forms will be processed as it was prior to video arraignments

The Court will provide the Defendant at the jail with hard copies of the following forms:

- Criminal and Domestic Violence Protection Orders and Warning Letters in multiple languages
- Driver Intervention Program Information
- Forfeiture Notice
- Interlock Information
- Pretrial Services Information
- Vehicle Release or Relocation Instructions
- Scram Referral

******Providing any other documents to the Defendant is the responsibility of the requesting party.***

The Court will also be responsible for filing the following electronic forms with the Clerk's Office:

- Attorney Waiver
- BMV 2261
- Criminal and Domestic Violence Protection Orders
- Demand for Court Trial
- Demand for Jury Trial
- Drug Court Continuance
- Drug Court Plea Form
- Forfeiture Notice
- Jury Waiver
- Preliminary Hearing Waiver
- ROR Receipt
- Scram Referral
- Vehicle Release or Relocation Entry

******Any other documentation that is created electronically will need to be filed by the requesting party. Please consult the 4D Courtroom Bailiff if you need assistance.***

PROCESS PRIOR TO ARRAIGNMENTS

- The 4D arraignment list is available on the Clerk's website at <http://www.fcmcclerk.com/reports/4d-list>. Defendants at the Main Jail will be arraigned first followed by Defendants at Jackson Pike.
- Attorneys can register for the Clerk's online secure access portal at <https://secure.fcmcclerk.com/>. This web portal provides access to case docket and images that are relevant to the arraignment proceedings.
- The Prosecutor and Defense Counsel should confer in advance of the start of the 4D arraignment docket to discuss pleas, offers and protection orders. The Prosecutor should also be in contact with victims and Defense Counsel prior to the start of 4D arraignment to notify Defense Counsel whether or not the victim will be present and to inform about any temporary protection order requests and/or conditions of bond.
- Counsel has the ability to confidentially communicate with their client prior to arraignments utilizing the video conferencing equipment located in the conference room behind Courtroom 4D. Private Counsel must coordinate the use of the video conferencing equipment with the Public Defender's office as they are facilitating this pre-arraignment communication with all Defendants beginning at approximately 7:00 am each arraignment day.
- The Public Defender's Office as well as private Defense Counsel will need to have substantially conducted the majority of interviews with their client(s) prior to the start of the 4D docket to ensure a smooth flow of cases on the docket. The Court has no preference whether or not the PD and Defense Counsel represent their clients at the jail or in person at the Court. However, the interview process shall not disrupt the 4D arraignment proceedings.
- **DUE TO THE PROXIMITY OF CLIENTS AT THE JAIL, INTERVIEWS CONDUCTED WHILE ARRAIGNMENTS ARE IN PROGRESS MAY BECOME PART OF THE COURT RECORD.**
- The Sheriff's office will provide the PD and Defense Counsel access to the Defendant(s) at the jails the day before as well as the morning of the day of the arraignment. Major Bryant and/or Major Turner at the Sheriff's Office are the contact points to work out a process for scheduling interviews.
- Two direct phone lines between the arraignment courtroom and the jails are available for communication. When Court interpreters are needed to translate, they will have the option to use the phone in the courtroom, a microphone associated with the 4D video arraignment system, and/or the units located in the office behind the 4D courtroom to speak with the Defendant and relate to the Court the Defendant's responses.
- The Court will use an electronic workflow to apply signatures on court documents via signature pads during the 4D arraignment docket. The Court will be responsible for providing the Defendant with hard copies of the documents listed above and for filing the documents listed above. Providing any other documents to the Defendant or filing other documents with the Clerk is the responsibility of the requesting party. To inquire about electronic filing, please contact the Municipal Court Clerk of Court's office.

PROCESS DURING ARRAIGNMENTS

- All participants in the Courtroom are asked to wear a mask and to remain socially distant from one another.
- Defendants located at the Main Jail will be heard first, followed by the women at Jackson Pike and then men. There will be no deviations to the order of arraignments established.
- Once your Defendant's case is called by the Judge, you will approach the Defense Counsel microphone located nearest to the Courtroom Clerk. You **MUST** stand directly behind the podium and speak toward the microphone. This will ensure the Defendant can both see and hear you and that a clear record is made.
- Counsel will make the Courtroom Bailiff aware of any electronic documents that need to be addressed during the arraignment. The Courtroom Bailiff will locate the paperwork and present it to the Defendant and the Judge to be signed. The Bailiff will print the hard copies of the documents listed above to the Defendant at the Jail and will file the documents listed above.
- Any documents that are not generated electronically will **NOT** be able to be signed by the Defendant and will be processed as it was prior to video arraignments.

If you have any questions regarding this process, please contact:

Emily Shaw, Court Administrator – 614.645.8726 – Email: ShawE@fcmcclerk.com

John Davenport, Deputy Court Administrator – 614.645.8034 – Email: DavenportJ@fcmcclerk.com